

# REPORT

**DATE:** July 6, 2006

**TO:** Regional Council

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**SUBJECT:** Delegation of Authority to Executive Committee to approve the conformity determination for the 2006 Regional Transportation Improvement Program (RTIP) and reaffirm the conformity determination for the 2004 Regional Transportation Plan (RTP).

**EXECUTIVE DIRECTOR'S APPROVAL:**



**RECOMMENDED ACTION:**

Delegate authority to the Executive Committee to approve the conformity determination for the Final 2006 RTIP and reaffirm the conformity determination for the 2004 RTP.

**SUMMARY:**

Staff recommends delegating 2006 RTIP approval and transmittal authority to the Executive Committee to meet required state and federal deadlines. The 2006 RTIP must be transmitted to the California Department of Transportation by August 1, 2006. The delegation of authority should allow projects to proceed without interruption from an expired RTIP. Per federal guidance, the conformity determination of the RTIP requires a reaffirmation of the conformity determination of the 2004 RTP.

On June 1, 2006, the Transportation and Communications Committee approved the release of the Draft 2006 RTIP for public review and comment. As of July 6, 2006, the Draft RTIP will still be undergoing public review, and final documents including responses to comments will not be available. Staff will provide the EEC and Regional Council a matrix of comments received upon completion of the public review period. The Regional Council and policy committees are not scheduled to meet again until September 7, 2006. However, final action by August 1 is necessary for the RTIP.

The 2006 RTIP is composed of over 1400 projects and is programming \$19.3 billion in fiscal years FY 2006/07 – 2011/2012. Development of the RTIP involves constant communication with the county transportation commissions and Imperial Valley Association of Governments. SCAG is consistent with four of the five transportation conformity tests, with the exception of "interagency consultation and Public Involvement." This final test will be met by the end of July, as well as all requirements by the August Executive Committee meeting.

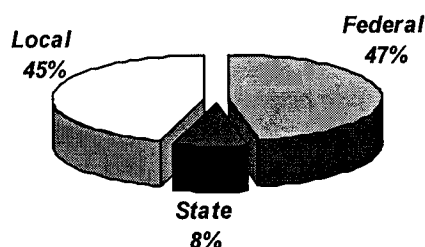
**BACKGROUND:**

The effective date for the conformity determination for the 2004 RTP, including all of the air basins, is June 7, 2004. On October 4, 2004, the federal agencies approved funding and determined conformity for the 2004 RTIP. On March 30, 2006 a federal conformity determination for the 2004 RTP and the 2004 RTIP was issued for the South Coast Air Basin (SCAB), which is designated as non attainment for PM2.5. The federal funding approval of the 2004 RTIP will expire on October 4, 2006.

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The table below reflects the amount of federal, state and local funding programmed in each fiscal year of the 2006 RTIP:

	<i>FEDERAL</i>	<i>STATE</i>	<i>LOCAL</i>	<i>TOTAL</i>
2006/07	\$2,230,215	\$351,626	\$2,421,339	\$5,003,180
2007/08	2,325,436	559,715	2,276,211	5,161,362
2008/09	2,278,363	225,506	1,692,076	\$4,195,945
2009/10	1,618,523	70,556	1,665,230	3,354,309
2010/11	429,058	11,666	885,875	1,326,599
2011/12	41,619	215	187,557	229,391
<b>TOTAL</b>	<b>\$8,923,214</b>	<b>1,219,284</b>	<b>9,128,289</b>	<b>\$19,270,787</b>
<b>% of Total</b>	<b>47.1%</b>	<b>7.8%</b>	<b>45.2%</b>	<b>100.0%</b>



Federal requirements dictate that five transportation conformity tests must be met for the 2006 RTIP to be in compliance with federal regulations. Described below are the test criteria and SCAG findings:

## ✓ Consistency with 2004 RTP Test

The RTIP is required to be consistent with the adopted Regional Transportation Plan (policies, programs, and projects) to be eligible for funding.

Finding: SCAG's 2006 RTIP (project listing) is consistent with the 2004 RTP.

## ✓ Regional Emissions Tests

Emissions of specified pollutants and pollutant precursors must be less than or equal to the motor vehicle emissions budgets established in the applicable implementation plan. In absence of the applicable emissions budgets for conformity, interim emissions tests must be met. For the interim emissions tests, the build scenario's emissions must be less than or equal to the no-build scenario's emissions and/or the build scenario's emissions must be less than or equal to the base year.

Finding: SCAG's 2006 RTIP regional emissions analysis for PM2.5 are less than base year 2002 for all milestone, attainment, and planning horizon years in the SCAB.

Finding: SCAG's 2006 RTIP regional emissions for the ozone precursors are consistent with all applicable emissions budgets for all milestone, attainment, and planning horizon years for the following areas:

- SCAB - 2003 Ozone SIP
- SCCAB (Ventura County) - 2004 Ozone SIP
- MDAB (Antelope Valley and Victor Valley areas) - 2004 Ozone SIP

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- SSAB (Coachella Valley) - 2004 Ozone SIP

Finding: SCAG's 2006 RTIP regional emissions for the NO<sub>2</sub> precursor are consistent with all applicable emissions budgets for all milestone, attainment, and planning horizon years in the SCAB - 2003 NO<sub>2</sub> SIP.

Finding: SCAG's 2006 RTIP regional emissions for CO are consistent with all applicable emissions budgets for all milestone, attainment, and planning horizon years in SCAB - 2003 CO SIP.

Finding: SCAG's 2006 RTIP regional emissions for the PM<sub>10</sub> precursors are consistent with the applicable emissions budgets for all milestone, attainment, and planning horizon years in SCAB - 2003 PM<sub>10</sub> SIP.

Finding: SCAG's 2006 RTIP regional emissions for PM<sub>10</sub> are consistent with the applicable emissions for the Coachella Valley portion of SSAB for all milestone, attainment and planning horizon years - 2003 PM<sub>10</sub> SIP.

Finding: SCAG's 2006 RTIP regional emissions (build scenarios) for PM<sub>10</sub> are less than the no-build emissions for the San Bernardino County portion of MDAB for all milestone, attainment and planning horizon years.

Finding: SCAG's 2006 RTIP regional emissions (build scenarios) for PM<sub>10</sub> are less than the no-build emissions for the Imperial County portion of SSAB.

Finding: SCAG's 2006 RTIP regional emissions (build scenario) for the ozone precursors are less than the no-build emissions for the Imperial County portion of SSAB.

## ✓ **Timely Implementation of TCM Test**

The RTIP must provide for timely completion or implementation of all TCMs available for funding in the applicable implementation plan. If behind schedule, obstacles to implementation must be identified and overcome.

Finding: The TCM1 project categories listed in the 1994/1997/2003 Ozone SIP for the SCAB area were given funding priority and are on schedule for implementation.

Finding: The TCM strategies listed in the 1994 (as amended in 1995) Ozone AQMP/SIP for the VC/SCCAB were given funding priority and are on schedule for implementation.

## ✓ **Financial Constraint Test**

All projects programmed in the 2006 RTIP must be fiscally constrained.

Finding: Projects programmed in the 2006 RTIP in fiscal years 2006/2007 and 2007/2008 are fiscally constrained and funds are expected to be reasonably available for the remaining years.

## **Interagency Consultation and Public Involvement Test**

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Finding: The 2006 RTIP is complying with all federal and state requirements for interagency consultation and public involvement. SCAG's Transportation Conformity Working group serves as a forum for interagency consultation, and additionally, there were many ad-hoc meetings held between the involved agencies for this purpose. The public hearing is scheduled for June 29<sup>th</sup> at 10:00 a.m. at the SCAG offices. This item was prepared prior to the public hearing being conducted. Therefore, staff will update you on July 6<sup>th</sup> as to any comments received. The 30-day public review of the 2006 RTIP concludes on July 25 at 5:00 p.m. Once the public review has been completed, this test will be satisfied. Staff will provide the Committee and Regional Council with a matrix of the comments received upon completion of the public review period.

In addition, Street and Highways Code Section 182.6(e) and Section 182.7 (d) require that a metropolitan planning organization (MPO) submit its transportation improvement program not later than August 1 of each even-numbered year. Government Code Section 65074 stipulates that the State Department of Transportation submit the Federal Statewide Transportation Improvement Program (FSTIP) to the United States Secretary of Transportation by October 1 of each even-numbered year.

As mentioned above, the current FSTIP expires on October 4, 2006. Delays in obtaining FSTIP approval should be avoided. An MPO not meeting the August deadline will necessitate that the State Department of Transportation amend the FSTIP at a later date to include the MPO's program. It is uncertain at this time as to the length of time involved in amending the program and ultimate receipt of federal approval for the program. SCAG policy committees and Regional Council are not scheduled to meet in August. This necessitates staff recommending the Regional Council delegate authority to the SCAG Executive Committee to approve the 2006 RTIP and associated transportation conformity determination.

## **FISCAL IMPACT:**

The staff resources for developing the 2006 RTIP are contained within the Fiscal years 2005/2006 & 2006/2007 SCAG budgets